

Appl. No. 10/524,693
Amendment dated: October 17, 2008
Reply to OA of: June 18, 2008

REMARKS

Applicant has amended the claims to more particularly define the invention taking into consideration the outstanding Official Action. Applicant has amended claim 1 and has canceled claims 2-5, 7-11, and 25-33 from the present application to place the application in early condition for allowance. Applicant reserves the right to file a further application at a later time.

Applicant notes with appreciation the Examiner's indication of allowable subject matter wherein claim 3 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant notes that allowable claim 3 is dependent on claim 1. Applicant has amended claim 1 by incorporating the allowable subject matter of claim 3 into claim 1 thereby making claim 1 an allowable claim, as well as any dependent claims thereon. Claim 3 has been canceled from the present application in view of the redundancy of the claim.

The objection to claim 3 as being dependent upon a rejected base claim has been obviated in view of the amendments to the claims. Accordingly, it is most respectfully requested that this objection be withdrawn.

The maintained rejection of claims 1, 7, 9, 12-13, 25 and 31 under 35 U.S.C. 112, first paragraph for reason of record has been carefully considered but is most respectfully traversed. Applicant does not believe that these claims fail to comply with 35 USC 112, first paragraph but have restricted the application to the indicated allowable subject matter to expedite the prosecution to an early allowance and may file a further continuation application to the canceled subject matter. In view of the amendments to the claims, it is most respectfully requested that this rejection be withdrawn.

The maintained rejection of claims 25-30 under 35 U.S.C. 112, first paragraph for lacking sufficient description and/or enablement for reason of record has been obviated in view of the cancellation of these claims from the present application. This is similarly true with respect to the maintained rejection of claims 7-11 and 25-33 under 35 U.S.C.

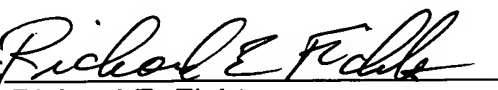
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112, first paragraph for lacking sufficient enablement for reason of record. Accordingly, it is most respectfully requested that these rejections be withdrawn. Applicant is not in agreement with these rejections and may file a further continuation application as these claims have only been canceled to expedite the prosecution to an early allowance.

The maintained rejection of claims 1-2, 4-9, 11, 25-31 and 33 under 35 U.S.C. 103(a) over Gittos et al. '151 or '771 supplemented with RN 103353-87-3 in view of Berge et al. for reason of record has been carefully considered but is most respectfully traversed in view of the amendments to the claims. Accordingly, it is most respectfully requested that this rejection be withdrawn. Applicant does not agree with this rejection and may file a continuation as these claims were canceled only to expedite the prosecution of this application to an early allowance.

In view of the above comments and further amendments to the claims, favorable reconsideration and allowance of all the claims now present in the application are most respectfully requested.

Respectfully submitted,
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